

## **REMARKS**

Applicants cancel claims 23-27 and amend claims 1, 2, 5-7, 10, 11, and 22 such that claims 1-22 are pending in this application. Applicants respectfully request allowance of all the pending claims.

### **Claim Rejections – 35 U.S.C. §112**

The Examiner rejects claims 2 and 5-21 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicants regard as the invention. Specifically, the Examiner makes the following recommendations: (i) change “the user” of claim 2, line 1 to “a user”; (ii) change “the user” of claim 5, line 1 to “a user”; (iii) change “the environment” of claim 6, line 2 to “an environment”; (iv) change “the user” of claim 7, line 1 to “a user”; (v) change “the user” of claim 10 line 1 to “a user”; (vi) change “the option” of claim 10, line 2 to “an option”; (vii) change “the operation” of claim 11, lines 4-5 to “an operation. In response, Applicants amend the above-noted claims to address the Examiner’s concerns. Applicants respectfully request the Examiner to remove the rejection of claims 2 and 5-21.

### **Claim Rejections – 35 U.S.C. §103(a)**

The Examiner rejects claims 1-25 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6,512,455 (“Finn”) in view of United States Patent No. 5,325,678 (“Borah”).

Claim 1 recites a method including providing a controller coupled to an environment-adjusting system, providing a database communicatively connected to the controller, receiving into the database a cargo identification, retrieving from the database an environment-control parameter as a function of the identified cargo, and regulating the environment-adjusting system with the controller to adjust an environment of a conditioned space of an environment-controlled transport unit based upon the environment-control parameter communicated from the database to the controller.

Claim 6 recites an article including a computer-readable medium which stores computer-executable instructions for controlling an environment of a conditioned space in an environment-controlled transport unit for transporting cargo. The instructions causing a machine to receive

into the database a cargo identification, retrieve from the database an environment-control parameter as a function of the identified cargo, and regulate an environment-adjusting system with a controller to adjust an environment of a conditioned space of an environment-controlled transport unit based upon the environment-control parameter communicated from the database to the controller.

Claim 11 recites an environment control system including an environment-adjusting system, a controller, a database, and an input device. The environment-adjusting system is configured to adjust the environment of a conditioned space. The controller is coupled to and configured to regulate the environment-adjusting system. The database is communicatively connected to the controller and the input device is coupled to the controller. The database includes a cargo identification and an environment-control parameter as a function of the cargo identification. The controller is configured upon selection of a cargo identification by way of the input device to retrieve the environment-control parameter as a function of the cargo identification from the database and to regulate the environment-adjusting system based upon the environment-control parameter.

Claim 22 recites an environment-controlled transport unit including a container and an environment control system. The container defines a conditioned space. The environment control system is configured to receive into a database a cargo identification and to retrieve from the database an environment-control parameter as a function of the cargo identification. The environment control system is configured to regulate an environment adjusting system with a controller to adjust an environment of the conditioned space based upon the environment-control parameter communicated from the database to the controller.

Claims 1, 6, 11, and 22 (“the independent claims”) regulate the environment-adjusting system with a controller to adjust an environment of a conditioned space based upon a cargo-dependent environment-control parameter communicated from a database to the controller or in other words retrieved by the controller from the database. The independent claims recite this similar limitation and are therefore discussed together below.

Finn discloses a system for monitoring cargo on a transport vehicle utilizing impulse radio. With reference to Figs. 11 and 12, the system includes an operator’s interface (1240), a cargo monitor (1114), and impulse radio transmitters (1132). Each impulse radio transmitter is affixed to a respective unit of cargo (1134). The transmitter (1132) includes a sensor (1126) to

sense actual parameters on the cargo (1134) and a bar code (1630)(Fig. 16) to identify the contents of the cargo (1134). A bar code scanning device (1154) reads the bar code (1630) upon entry (1134) into the transport vehicle (1116) and communicates a corresponding signal to the cargo monitor (1114), which identifies the type of cargo (1134) based on the signal received. The cargo monitor (1114) then retrieves ranges of acceptable conditions (e.g., acceptable temperature ranges) from its memory (1218) based on the identified cargo. The cargo monitor (1114) also receives signals from the sensor (1126) representative of the cargo's actual condition (e.g., actual temperature). The monitor (1114) compares the actual condition with the range of acceptable conditions and if the sensed condition is outside the range of the acceptable conditions, the monitor transmits a warning message to the operator's interface (1240). If desired, the warning can also include a message that identifies the remedial action to be undertaken by the operator (e.g., raising or lowering the setpoint temperature of refrigeration unit or another type of environment-adjustment system).

Borah discloses a temperature control that maintains a temperature within a predetermined range stored within the memory of the control.

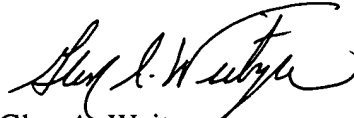
The combination of Finn and Borah does not teach or suggest a controller that regulates an environment-adjusting system based upon a cargo-dependent environment-control parameter communicated from a database to the controller. Finn and Borah do not disclose any communicative connection between an environment-adjusting system controller and a database storing cargo-specific control parameters. Rather, the combination of references merely discloses a communicative connection between the cargo monitor (1114) and the operator's interface (1240). In other words, the cargo monitor (1114) of Finn can communicate the cargo-specific acceptable parameter to the operator's interface (1240) (for the operator to see and personally enter into a control system, such as the one disclosed in Borah), but it cannot communicate the cargo-specific acceptable parameter directly to the controller for immediate adjustment of the environment-adjusting system.

For these reasons, Finn and Borah, alone or in combination, do not teach or suggest all of the claim limitations of the independent claims. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of the independent claim based upon the prior art as required by 35 U.S.C. §103.

Accordingly, the independent claims are allowable. Claims 2-5, claims 7-10, and claims 12-21 depend from allowable independent claims 1, 6, and 11, respectively, and are allowable for the same and other reasons.

The Examiner is invited to contact the undersigned attorney should the Examiner determine that such action would facilitate the prosecution and allowance of the present application.

Respectfully submitted,



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